

Judge Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DALE ALEXANDER PRENTICE,
VISA EL,
IBRAHIM ABDUL EL,
HAO QUANG TRAN,

Defendants.

NO. CR06-296 JCC

ORDER SEVERING
DEFENDANT PRENTICE
FROM DEFENDANTS EL, EL
and TRAN FOR TRIAL and
CONTINUING TRIAL AS TO
DEFENDANT PRENTICE

This matter having come before the undersigned Court by joint motion (Dkt. Nos. 171, 174) of counsel, the United States through the United States Attorney for the Western District of Washington, Susan M. Roe, Assistant United States Attorney for said district, and the Defendants through counsel, Dale A. Prentice by and through Richard Troberman, Visa El by and through Kenneth Kanev, Ibrahim El by and through Howard Ratner and Hao Tran by and through Ralph Hurvitz, the Court being fully advised in the matter, now finds that:

The trial for defendant Dale A. Prentice shall be SEVERED from the trial for Defendants Visa El, Ibrahim El and Hao Tran, which is scheduled for February 5, 2007.

Furthermore, Defendant Prentice has filed a speedy trial waiver through May 11, 2007 (Dkt. No. 173). Because Defendant Prentice faces charges significantly different from those faced by the Defendants scheduled for trial on February 5, 2007 and because

1 further Grand Jury presentation is anticipated in his case, the Court finds that the
2 requested 90-day extension of Defendant Prentice's trial is appropriate. Failure to
3 continue Defendant Prentice's trial would deny him adequate preparation by his attorney
4 and would deny counsel reasonable time to prepare for trial or negotiate plea agreements.
5 Due to these factors, exclusion of additional time as to Defendant Prentice under 18
6 U.S.C. § 3161(h)(8)(B)(iv) is appropriate, taking into account the exercise of due
7 diligence. The Court further finds that the ends of justice served by taking such action
8 outweigh the best interest of the public and Defendant Prentice in a speedy trial, within
9 the meaning of 18 U.S.C. § 3161(h)(8)(A). The proposed continuance of Defendant
10 Prentice's trial does not appear to prejudice any party. Accordingly, the trial for
11 Defendant Prentice shall be CONTINUED to April 23, 2007. The time between the date
12 of this Order and the new trial date shall be excludable time under the Speedy Trial Act
13 pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv) as to Defendant Dale
14 Alexander Prentice. Any additional pretrial motions as to Defendant Prentice must be
15 filed no later than March 22, 2007.

16 SO ORDERED this 29th day of January, 2007.

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19 John C. Coughenour
20 United States District Judge
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